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October 25, 2024

Via ECF

Honorable Cathy Seibel
United States Courthouse
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: *United States v. Mout'z Soudani*
24 CR 555 (CS)(JCM)

Dear Judge Seibel:

I am writing to respectfully request a court conference for a modification of Mr. Soudani's bail conditions. On September 24, 2024, Mr. Soudani's bail conditions were consented to by the parties: a one-million dollar bond secured by \$100,000 cash, \$800,000 in property, surrender of his passport, strict pre-trial supervision and the bond signed by one financially responsible person. Mr. Soudani has surrendered his passport, posted \$100,000 cash, has further secured \$800,000 through a Confession of Judgment with the Orange County Clerk fully secured by his commercial property. Mr. Soudani has also located an individual whom he has a close relationship for over ten years and who is willing to sign the bond. However, this individual does not have sufficient assets to qualify as a financially responsible person. Despite diligent efforts, Mr. Soudani has not been able to locate a financially responsible person to sign the bond.

Considering the above, I proposed to the Government that Mr. Soudani is prepared to post an additional \$100,000 cash to fully secure the \$1 million bond (\$200,000 cash and \$800,000 property). By fully securing the \$1 million bond there is no need for a financially responsible person. Recently, in similar cases the government has agreed to fully secure bonds without FRPs. (See, *United States v. Senator Robert Menendez*, 23 CR 490 (Senator Menendez and his wife's \$250,000 bond secured by their home with no financially responsible person; Senator Menendez's co-defendant Jose Uribe 1 million bond secured by property without a financially responsible co-signer; co-defendant Fred Daibes bond secured by property without a financially responsible co-signer). I have the \$100,000 bank check in my firms safe to be deposited with the Clerk. The Government indicated that the additional \$100,000 may not be sufficient for them, they may want more cash or electronic monitoring but that they were open to a discussion.

I have reached out to United States Attorney's office but have not heard back yet to see if we could arrive at a resolution. Since the remaining bail condition has not been satisfied or otherwise agreed to, I am respectfully requesting the Court schedule a conference next Wednesday 10/30, Thursday 10/31 in the afternoon or Friday 11/1 or Monday 11/4 or Wednesday 11/6 to address the remaining bail condition. I am traveling today and will be attending a family funeral Monday 10/28 and Tuesday 10/29.

Thank you for your consideration.

Respectfully,

Michael K. Burke
MICHAEL K. BURKE